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Paper

Mail Stop Interference
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Filed: September 6, 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES
(Administrative Patent Judge James T. Moore)

Howard Martin
Junior Party
(Patent 6,264,471),

v.

Suk-Song Oh
Senior Party
(Application 09/294,073).

Patent Interference No. 105,335
(Technology Center 3700)

FAXED

SEP 6 - 2005

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

JUDGMENT - REQUEST FOR ADVERSE - Bd. R. 127(b)

Before LEE, TORCZON, and MOORE, *Administrative Patent Judges*.

Moore, *Administrative Patent Judge*.

Martin has filed Paper 16, a Request for Adverse Judgment as to count 1, which is the only count of this interference.

ORDERED that judgment on priority as to Count 1 (Paper 1, page 4)¹ is awarded against Junior party Howard Martin.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 09/294,073 and patent 6,264,471.

/Jameson Lee/
CAROL A. SPIEGEL
Administrative Patent Judge

/Richard Torczon/
RICHARD TORCZON
Administrative Patent Judge

/James T. Moore/
JAMES T. MOORE
Administrative Patent Judge

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cc (via fax):

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INTERFERENCE DIGEST

Interference No. 105,335

Paper No. 18

Name: Suk-Song Oh

Serial No.: 09/294,073

Patent No.

Title: Endodontic gutta-percha point with working length marks

Filed: 04/19/99

Interference with Martin

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, Favorable Dated, 9/6/05

Court, _____ Dated, _____

REMARKS

This should be placed in each application or patent involved in interference in addition to the interference letters.



UNITED STATES PATENT AND TRADEMARK OFFICE

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES
BOX INTERFERENCE, WASHINGTON, D.C. 20231

Filed by: Judge James T. Moore
Telephone: 571-272-9797
Facsimile: 571-273-0042

Applicant: OH
Application No.: 09/294,073
Filed: 04/19/99
For: Endodontic gutta-percha point with working
length marks

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,335.

Notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference." 35 U.S.C. § 135(c).

/s/ JAMES T. MOORE
Administrative Patent Judge